

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SANDRA GADSDEN,)
v.)
Plaintiff,) Civil Action No.: 07-4861 (JLL)
)
NEW JERSEY EDUCATION ASSOC.,)
)
Defendant.)
)

ORDER

SANDRA GADSDEN,)
v.)
Plaintiff,) Civil Action No.: 08-3248 (JLL)
)
JERSEY CITY EDUCATION ASSOC.,)
)
Defendant.)
)

ORDER

SANDRA GADSDEN,)
v.)
Plaintiff,) Civil Action No.: 08-3249 (JLL)
)
THE JERSEY CITY PUBLIC SCHOOLS,)
)
Defendant.)
)

ORDER

Plaintiff Sandra Gadsden has filed a couple of letters with this Court seeking recusal of Judge Linares from these cases and also requesting that her cases be reopened. This Court has considered Plaintiff's submissions and finds that:

1. Pursuant to 28 U.S.C. § 455(a), "any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." See also Clemmons v. Wolfe, 377 F.3d 322, 325 (3d Cir. 2004). Plaintiff asserts that "Judge Jose L. Linares did not review the cases[;] he went against the law by closing the case." (See CM/ECF No. 10.) Plaintiff has provided no factual basis for any claim of impartiality. At most she asserts that this Court was wrong—a matter for appeal. In fact, she has appealed two of the cases before this Court, Civil Action Nos. 08-3248 and 08-3249. Therefore, this Court finds no basis for her request for recusal.
2. To the extent that her letter is requesting that this Court reopen her cases, the Court first notes that no action may be taken on the two cases on appeal. With respect to Civil Action No. 07-4861, this Court directs Plaintiff to its prior Order filed on July 2, 2008. Because of Plaintiff's duplicative filings before this Court and Judge Hayden, Plaintiff was ordered to file any new requests in these causes of action under Civil Action No. 07-4143, Plaintiff's action pending before Judge Hayden. Therefore, any request to reopen should be filed under that action number.

Accordingly, IT IS on this 10th day of February, 2009,

ORDERED that Plaintiff's request for recusal of Judge Linares in Civil Action Nos. 07-4861, 08-3248, and 08-3249 is hereby denied; and it is further

ORDERED that Plaintiff's request to reopen Civil Action No. 07-4861 is hereby denied.

IT IS SO ORDERED.



JOSE L. LINARES,
UNITED STATES DISTRICT JUDGE